

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA,
GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN
R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD,
JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ,
PEDRO R. MENDEZ, LEONARD MATOS, JR., and
HERMINIO RIVAS, JR.,

Plaintiffs,

v.

IBPO, LOCAL 364,

Defendant,

v.

SPRINGFIELD POLICE DEPARTMENT,

Defendant.

C.A. No. 04-30163-MAP

**JOINT MOTION FOR AN ORDER OF
DISMISSAL BASED ON SETTLEMENT**

Plaintiffs Julio Toledo, Josh C. Haygood, Rafael Vega, Greg McCain, Martin Santa, David Franco, Juan R. Estrada, Kevin Bell, Howard Lockwood, Jason E. Larrier, Tommie O. Hart, Angel Perez, Pedro R. Mendez, Leonard Matos Jr., and Herminio Rivas, Jr., (the "Plaintiffs"), and defendant City of Springfield Police Department (the "City" or "Defendant"), jointly move this Court for an Order of Dismissal of the above-captioned litigation, with the Court retaining jurisdiction for purposes of all disputes arising from or relating to the Settlement Agreement. The proposed Order of Dismissal is attached. In support of this motion, Plaintiffs and Defendant jointly state:

1. The Plaintiffs and Defendant have entered into a Settlement Agreement for dismissal of this action, and have agreed to submit all disputes arising from or relating to that Settlement Agreement to this Court. All terms and obligations of the Settlement Agreement required to be performed prior to submission of this Motion to the Court have been performed, and the parties therefore now agree to dismissal of this action.

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA, GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD, JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ, PEDRO R. MENDEZ, LEONARD MATOS, JR., and HERMINIO RIVAS, JR.,

By their attorneys,

/s/ Christopher R. Noyes
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May
Dated: ~~March~~ 30, 2006

CITY OF SPRINGFIELD POLICE DEPARTMENT

By its attorneys:

A handwritten signature in black ink, appearing to be 'EPikula', written over a horizontal line.

Edward M. Pikula, Esq.
Law Department, City of Springfield
36 Court Street
Springfield, MA 01103

Dated: March __, 2006